

ANTI-JEWISH LEGISLATION IN PREWAR GERMANY

In the first six years of Adolf Hitler's dictatorship, Jews felt the effects of more than 400 decrees and regulations on all aspects of their lives. The regulations gradually but systematically took away their rights and property, transforming them from citizens into outcasts. Many of the laws were national ones issued by the German administration, affecting all Jews. State, regional, and municipal officials also issued many decrees in their own communities. As Nazi leaders prepared for war in Europe, antisemitic legislation in Germany and Austria paved the way for more radical persecution of Jews.

KEY FACTS

1

The first wave of Nazi antisemitic legislation, from 1933 to 1934, focused on limiting the participation of Jews in German public life.

2

In September 1935, the Nazi leaders announced the "Nuremberg Laws" which institutionalized many of the racial theories prevalent in Nazi ideology.

3

Nazi legislation in 1937-38 increased the segregation of Jews from their fellow Germans, ultimately requiring Jews to identify themselves in ways that would permanently separate them from the rest of the population.

Background

Nazi leaders began to make good on their pledge to persecute German Jews soon after their assumption of power. During the first six years of Hitler's dictatorship, from 1933 until the outbreak of war in 1939, Jews felt the effects of more than 400 decrees and regulations that restricted all aspects of their public and private lives. Many of those laws were national ones that had been issued by the German administration and affected all Jews. But state, regional, and municipal officials, on their own initiative, also promulgated a barrage of exclusionary decrees in their own communities. Thus, hundreds of individuals in all levels of government throughout the country were involved in the persecution of Jews as they conceived, discussed, drafted, adopted, enforced, and supported anti-Jewish legislation. No corner of Germany was left untouched.

1933–1934

The first wave of legislation, from 1933 to 1934, focused largely on limiting the participation of Jews in German public life. The first major law to curtail the rights of Jewish citizens was the "Law for the Restoration of the Professional Civil Service" of April 7, 1933, according to which Jewish and "politically unreliable" civil servants and employees were to be excluded from state service. The new Civil Service Law was the German authorities' first formulation of the so-called Aryan Paragraph, a kind of regulation used to exclude Jews (and often by extension other "non-Aryans") from organizations, professions, and other aspects of public life.

In April 1933, German law restricted the number of Jewish students at German schools and universities. In the same month, further legislation sharply curtailed "Jewish activity" in the medical and legal professions. Subsequent laws and decrees restricted reimbursement of Jewish doctors from public (state) health insurance funds. The city of Berlin forbade Jewish lawyers and notaries to work on legal matters, the mayor of Munich disallowed Jewish doctors from treating non-Jewish patients, and the Bavarian Interior Ministry denied admission of Jewish students to medical school.

At the national level, the Nazi government revoked the licenses of Jewish tax consultants; imposed a 1.5 percent quota on admission of "non-Aryans" to public schools and universities; fired Jewish civilian workers from the army; and, in early

1934, forbade Jewish actors to perform on the stage or screen.

Local governments also issued regulations that affected other spheres of Jewish life: in Saxony, Jews could no longer slaughter animals according to ritual purity requirements, effectively preventing them from obeying Jewish dietary laws.

1935

At their annual party rally held in Nuremberg in September 1935, the Nazi leaders announced new laws which institutionalized many of the racial theories prevalent in Nazi ideology. These "Nuremberg Laws" excluded German Jews from Reich citizenship and prohibited them from marrying or having sexual relations with persons of "German or German-related blood." Ancillary ordinances to these laws deprived them of most political rights. Jews were disenfranchised (that is, they had no formal expectation to the right to vote) and could not hold public office.

The Nuremberg Laws did not identify a "Jew" as someone with particular religious beliefs. Instead, the first amendment to the Nuremberg Laws defined anyone who had three or four Jewish grandparents as a Jew, regardless of whether that individual recognized himself or herself as a Jew or belonged to the Jewish religious community. Many Germans who had not practiced Judaism or who had not done so for years found themselves caught in the grip of Nazi terror. Even people with Jewish grandparents who had converted to Christianity could be defined as Jews.

The Nuremberg Laws of 1935 heralded a new wave of antisemitic legislation that brought about immediate and concrete segregation: Jewish patients were no

longer admitted to municipal hospitals in Düsseldorf, German court judges could not cite legal commentaries or opinions written by Jewish authors, Jewish officers were expelled from the army, and Jewish university students were not allowed to sit for doctoral exams.

Other regulations reinforced the message that Jews were outsiders in Germany; for example, in December 1935, the Reich Propaganda Ministry issued a decree forbidding Jewish soldiers to be named among the dead in World War I memorials.

"Aryanization"

Government agencies at all levels aimed to exclude Jews from the economic sphere of Germany by preventing them from earning a living. Jews were required to register their domestic and foreign property and assets, a prelude to the gradual expropriation of their material wealth by the state. Likewise, the German authorities intended to "Aryanize" all Jewish businesses, a process involving the dismissal of Jewish workers and managers, as well as the transfer of companies and enterprises to non-Jewish Germans, who bought them at prices officially fixed well below market value. From April 1933 to April 1938, "Aryanization" effectively reduced the number of Jewish-owned businesses in Germany by approximately two-thirds.


1936

In the weeks before and during the 1936 Winter and Summer Olympic Games held in Garmisch-Partenkirchen and Berlin, respectively, the Nazi regime actually toned down much of its public anti-Jewish rhetoric and activities. The regime even removed some of the signs saying "Jews Unwelcome" from public places. Hitler did not want international criticism of his government to result in the transfer of the Games to another country. Such a loss would have been a serious

blow to German prestige. Likewise, Nazi leaders did not want to discourage international tourism and the revenue that it would bring during the Olympics year.

1937–1938

In 1937 and 1938, German authorities again stepped up legislative persecution of German Jews. The government set out to impoverish Jews and remove them from the German economy by requiring them to register their property. Even before the Olympics, the Nazi government had initiated the practice of "Aryanizing" Jewish businesses. "Aryanization" meant the dismissal of Jewish workers and managers of a company and/or the takeover of Jewish-owned businesses by non-Jewish Germans who bought them at bargain prices fixed by government or Nazi party officials. In 1937 and 1938, the government forbade Jewish doctors to treat non-Jews, and revoked the licenses of Jewish lawyers to practice law.






Following the *Kristallnacht* (commonly known as "Night of Broken Glass") pogrom  of November 9–10, 1938, Nazi leaders stepped up "Aryanization" efforts and enforced measures that succeeded increasingly in physically isolating and segregating Jews from their fellow Germans. Jews were barred from all public schools and universities, as well as from cinemas, theaters, and sports facilities. In many cities, Jews were forbidden to enter designated "Aryan" zones. German decrees and ordinances expanded the ban on Jews in professional life. By September 1938, for instance, Jewish physicians were effectively banned from treating "Aryan" patients.

The government required Jews to identify themselves in ways that would permanently separate them from the rest of the population. In August 1938, German authorities decreed that by January 1, 1939, Jewish men and women bearing first names of "non-Jewish" origin had to add "Israel" and "Sara," respectively, to their given names. All Jews were obliged to carry identity cards that indicated their Jewish heritage, and, in the autumn of 1938, all Jewish passports were stamped with an identifying letter "J".

As the Nazi leaders quickened their preparations for the European war of conquest that they intended to unleash, antisemitic legislation in Germany and Austria paved the way for more radical persecution of Jews.

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CRITICAL THINKING QUESTIONS

-  How did the non-Jewish German public respond to this legislation?
-  How were the law enforcement and judicial professions involved in preparing and carrying out these laws? What lessons can be considered for contemporary professionals?
-  These measures were publicized and known about around the world. How did other countries respond to these legal actions?
-  What options do other nations or coalitions have when a civilian group is targeted for discrimination within one country?
-  How can knowledge of the events in Germany and Europe before the Nazis came to power help citizens today respond to threats of genocide and mass atrocity in the world?

FURTHER READING

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